



**State of Arizona
Department of Education**

Health and Nutrition Services Division

HNS # 25-2020

MEMORANDUM

To: School Food Authorities (SFAs) and Community Organizations (COs) Operating the Summer Food Service Program (SFSP) or the Summer Seamless Option (SSO)

From: Melissa Conner, Associate Superintendent
Arizona Department of Education, Health & Nutrition Services

Date: May 6, 2020

Subject: SFSP/ SSO Waivers during Unanticipated School Closures and Waiver Expiration Dates

This memo provides a summary of waivers made available to SFAs and COs who are operating the SFSP and SSO during unanticipated school closures related to the COVID-19 pandemic. These waivers have been provided by the United States Department of Agriculture (USDA), Food and Nutrition Service (FNS) through the Arizona Department of Education (ADE). Additionally, this memo provides SFSP and SSO program operators notice regarding the expiration dates of these waivers.

Waivers

The first group of waivers are specific to operating the SFSP or SSO during the recent unanticipated school closure related to the COVID-19 pandemic; these waivers are in effect through June 30, 2020. This means the referenced program regulations found in the Code of Federal Regulations are to be met as of July 1, 2020. The four waivers expiring on June 30, 2020 are:

1. Area Eligibility/Eligibility of SFSP and SSO sites with less than 50% F/R

Arizona was granted a waiver to the regulations at 7 CFR 225.14(c)(3) to conduct a regularly scheduled food service in “areas in which poor economic conditions exist.” This permitted SFAs in good standing to apply to operate SFSP or SSO at non-area eligible sites during unanticipated school closures due to the economic impact of the COVID-19 pandemic.

Effective July 1, 2020, ADE no longer has the authority to approve SFSP or SSO meal service locations at sites with less than 50% of the population qualifying for free or reduced-priced meal benefits.

2. SFSP Sponsor Monitoring

The current requirement is that monitoring shall be conducted by the sponsor at meal service sites to the maximum extent practicable, however the onsite portion of monitoring located at 7 CFR 225.15(d) has been waived.

Effective July 1, 2020, SFAs and COs must conduct on site monitoring of all sites in operation.

3. Congregate Meal Service; allowance for non-congregate meal services

Currently, the requirement at 7 CFR 225.6(e)(15) that children are to remain on site while meals are consumed, has been waived until June 30, 2020. This waiver allows for multiple days of meals to be served at one time, meals to be delivered to homes, and for meals to be picked up and taken to children at home for consumption. Effective July 1, 2020, children must remain on site to consume their meal. Additional guidance and best practices regarding safety measures for social distancing will be provided.

4. Parent Pickup of Meals at SFSP and SSO meal service locations

SFAs and COs may distribute meals to a parent or guardian to take home to their children once a plan is developed for ensuring accountability and program integrity. This includes assurances that meals are only distributed to parents or guardians of eligible children. The maximum number of meals that may be offered are up to two meals or one meal and one snack per child, per day. If SFAs and COs elect to operate under the waiver for parents and guardians to pickup meals for children, they must submit their meal distribution plan and assurances to ADE using [this link](#). Effective July 1, 2020, meals must be provided in a congregate setting, thus parent pickup of meals will no longer be permitted; children must remain on site while meals are consumed.

One waiver, which pertains to the Meal Pattern, is only in effect until May 31, 2020.

5. Meal Pattern Waiver

ADE is permitted to provide SFSP and SSO meal reimbursements when the meal pattern is unable to be met by the SFA or CO providing the meals due to shortages and/or supply chain issues. SFAs and COs must maintain daily records of meals with meal pattern deficiencies by component, per meal service. To support the claim for reimbursement of meals, the SFA/CO is required to provide a meal pattern waiver request form to ADE using [this link](#) which was provided previously in ADE guidance, [HNS# 21-2020](#). Effective June 1, 2020, all meals claimed for reimbursement must meet the meal pattern.

The last group of waivers, numbers 6-9 below, are in effect for the duration of the 2020 SFSP Program year, which ends on September 30, 2020. These waivers are as follows:

6. Offer versus Serve (OVS)

To implement OVS under this waiver, SFAs and COs must be able to follow the SFSP OVS meal service parameters in entirety as stipulated below. OVS is designed for congregate feeding and, if used in a non-congregate setting through June 30, must be done so with thoughtful planning and consideration. The conditions under which sponsors are operating and their ability to follow

appropriate safety measures in providing meals are factors to consider. OVS is not intended to be a way to circumvent meal pattern requirements, or eliminate specific components.

SFSP OVS meal service parameters:

Breakfast: The following four food items must be offered:

- One serving of fruit/vegetable,
- One serving of bread/bread alternate,
- One serving of fluid milk, and
- One additional serving of fruit/vegetable, bread/bread alternate, or a serving of a meat/meat alternate.
- All the food items offered must be different from each other.
- A child must take at least three of any of the four food items offered and may choose to take all four items.

Lunch or Supper: The following four food components must be offered through at least five different food items:

- One serving of meat/meat alternate,
 - Two servings of fruit and/or vegetables (two different food items),
 - One serving of bread/bread alternate, and
 - One serving of fluid milk.
 - All the food items offered must be different from each other.
 - A child must take at least three food components and may choose to take all five items.
- Lunch or supper OVS requirements differ from breakfast in that a child must take at least three food components, rather than items, listed above from the five food items offered. Three food components are required for an adequate nutritious meal for children.
 - Offering two servings of the same food item is not permissible under OVS in SFSP. All food items offered must be different from each other. For example, a breakfast menu that includes a serving of milk, a serving of fruit, and two servings of toast is not a reimbursable meal under OVS in SFSP because the toast is two of the same food item. Similarly, if the breakfast menu included two different kinds of cereal rather than toast, it would still not be a reimbursable meal because the cereals, although not identical, are the same food item. Additionally, a larger food item that is worth two servings in weight, such as a two-ounce muffin, counts as only one food item under OVS in SFSP, not two.
 - Servings of all food items must adhere to the serving sizes in the SFSP meal patterns at 7 CFR 225.16(d).

7. Meal Service Time

SFAs and COs are permitted to serve SFSP and SSO meals outside of the standard meal times established under program regulations at 7 CFR 225.16(c)(1) and (2), 210.10(l), and 220.8(l)(2).

8. Closed enrolled sites establishment of eligibility

The eligibility determinations for SFSP and SSO closed enrolled sites can be approved by ADE without requiring the SFA or COs to collect and process income applications. SFAs and COs may use all mechanisms available to establish the eligibility for closed-enrolled sites, such as school-level data or census tract data.

9. First week site visits

SFAs and COs are permitted to forgo sites visits in the first week of operations which are required under Program regulations at 7 CFR 225.15(d)(2), for sites that operated successfully in the previous year. This requirement is also waived for SFAs and COs in good standing that had successfully participated in the Child and Adult Care Food Program (CACFP) or the National School Lunch Program (NSLP).

Program Year 2020 – Regular SFSP and SSO Operations

May 31, 2020 continues to be the ADE deadline for SFAs and COs to submit a complete application for Program Year 2020 for the SFSP or SSO, which will commence on July 1, 2020. SFAs and COs are encouraged to begin planning for changes that will need to occur for Regular SFSP and SSO program operations beginning July 1, 2020. For additional information pertaining to the Program Year 2020 application process for the SFSP and SSO, please review [HNS# 19-2020](#).

Please contact your Program Specialist at ADE with questions concerning this guidance. Your assigned specialist can be found at the top of the Sponsor application in CNPWeb. You may also send an email to SFSP@azed.gov or call 602-542-8700, and select option 1.

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